

10-21-04

RCE JFL



P/3426-21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Carl L. C. Kah, Jr., *et al.*

Date: October 20, 2004

Serial No.: 10/015,588

Group Art Unit: 3752

Filed: December 17, 2001

Examiner: HWU, Davis. D.

For: ROTARY DRIVE SPRINKLER WITH FLOW CONTROL AND SHUT OFF

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***Mail Stop RCE***

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION

Sir:

This is a Request for Continued Examination (RCE) under the provisions of 37 C.F.R. § 114, of the above-identified application.

Check No. 18457 which includes the RCE fee of \$395 - small entity) and any extension/suspension fee, is enclosed herewith.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the under-payment to Deposit Account No. 15-0700.

If this communication is filed after a shortened statutory time period in said pending application had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

☐ If checked, please enter and consider the Amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116.

☒ If checked, an Amendment and Rule 132 Declaration are enclosed.

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☐ If checked, please consider the arguments in the Appeal Brief and Reply Brief previously submitted.

☐ If checked, suspension of action is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months (3 maximum). A petition fee in the amount of \$130.00 is enclosed.

**EXPRESS MAIL CERTIFICATE**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label # EV343681508US) in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, Alexandria, VA 22313-1450, on October 20, 2004:

Dorothy Jenkins

Name of Person Mailing Correspondence

*Dorothy Jenkins*  
Signature

October 20, 2004

Date of Signature

Respectfully submitted,

*Lawrence A Hoffman*

Lawrence A Hoffman

Registration No.: 22,436

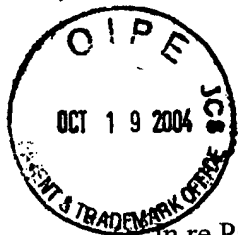
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**SUBMISSION**

In response to the Office Action mailed January 20, 2004, please reconsider the above-identified application amended as follows:

**FEE CALCULATION**

☒ No Additional Fee is Required

Any additional fee required has been calculated as follows:

☒ If checked, "Small Entity" status is claimed.

NO. OF CLAIMS	PER THIS RESPONSE	PREVIOUSLY PAID FOR	ADD'L CLAIMS	RATE	AMOUNT DUE
TOTAL	MINUS	* =		X (\$9 SE or \$18)	\$
INDEP.	MINUS	** =		X (\$44 SE or \$88)	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				X (\$150 SE or \$300)	\$
* not less than 20      ** not less than 3				TOTAL	\$

\_\_\_\_ If any additional payment is required, a check which includes the calculated fee of \$\_\_\_\_ (OFGS Check No. \_\_\_\_\_) is attached.

☒ Please charge the above calculated fee to our Deposit Account No. 15-0700.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

#### **CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

#### **AMENDMENTS**

☐ If checked, amendment(s) to the specification are submitted herewith.

☐ If checked, an amended abstract is submitted herewith.

☒ If checked, amendment(s) to the claims are submitted herewith.

☐ If checked, amendment(s) to the drawings are submitted herewith.